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y-fitting to a charm. The targest and he i. Twelve private tooms for applying his at BATCHELON'S, No. 230 Broadway. New York Daily Tribune

THURSDAY, FEBRUARY 12, 1857.

The two Houses of Congress yesterday met in convention, to count the votes for President and Vice-President. The vote for Wisconsin, which, on account of a storm preventing the assembling of the Electors, was not cast on the day required by law, was excluded from the count. The possibinty that a case might occur in which such an excluded vote would decide the choice for President was cenceded, and both Houses talked the matter over until the hour of adjournment without coming

The inquest in Bond street yesterday disclosed nothing important, unless the expressed intention of the Coroner to keep the investigation open thre or four days longer may be so considered. There are rumors of further evidence, the value of which we cannot, in such a case, intelligently estimate, The testimony of Farrel was to some extent confirmed. Of the alleged inconsistency of this remarkable evidence with that which has preceded it, we have spoken at large in another place.

There was a very considerable advance in the price of beef cattle at the great Bull's Head yesterday, owing to the short supply, which was oc casioned by the ice-blockade on the Hudson River at Albany, and the railroad from there to this city and also the stoppage of cars on the Eric Road b the loss of a bridge over the Delaware at Narrows burg, 123 miles from New York. The whole number of bullocks entered for this market day was on y 1,036, and several droves of them were sold on Monday and Tuesday, so that probably not over 600 were in the pens Wednesday morning and these were sold at rates equal to 11 to 13 cents a pound for the beef. If butchers advances their retail rates accordingly, we shall cut our roust beef and sirloin steaks with a strong taste of silver, even if we do not use silver forks. We recommend meat eaters to fall back upon venison, as that is worth among the wholesale dealers in Wash ngton street only about 14 cents a pound for satisfes. and there is a large stock of it stowed a way in a frozen state. There are also in the same locality a good many thousand pairs of grouse from the prairies of Illinois and fows, some of which has been frezen up since December, and probably will be till March. These birds are now sold by the dozen or more pair at 62 to 70 couts a pair. Turkeys, tco, are sold wholesa'e at 12 1 2 or 13 cents pound; geers at 8 1 2 to 9 1-2 cents a pound; and

that while such food remains at these priors, we do not perceive the necessity of even the present high prices of beef, and much more, of any advance, There is a fair prospec that as song as the railroads are in working order, we shall have a fair supply of beef catt'e in market again. The advance is only expected to be temporary.

The steamer Nisgara, now due at Ha far, had not been seen when the telegraph lines closed.

A destructive fire occurred in Newark N J , last night. Quimby's large coach manufactory was destroyed, and at the time our dispatch was started the fire was still spreading.

The Bostonians have their parallel to the Burdell murder in the death by poison of Hosea F. Gardper. Postmaster at His gbam. His wife is accused of killing him. A full account is given in our pa per this morning.

Two evening papers, The Post and The Express, take the ground that Farrell's testimony in the Burdell murder case is unworthy of credit, being contradicted by that of three other witnesses. Let us examine whether this is so.

The Express quotes the testimony of Mr. Ross, the principal of these three witnesses, as follows: the principal of these three witnesses, as follows:

"I passed on this side of the street; it might have
been about a quarter to 11 when I passed this house, I
saw only one person in the street, and he about one
hundred and fifty for in front of me toward the Bomery, he was wrapped up in a shawl, but could not till
whether he had a hat or one, believe it to be a cap. I
saw him come up this stoop, he opened the door with a
key. I could bent the key clatter in the door, the street
but a very onlet, he appeared to not a beautiful.

key. I could hear the key clatter in the door, the street hein's very quiet, he appeared to me to be about no feet cight or so, but being wrapped up in a shawi he might have appeared lower. I looked up at the coor place of I passed how some merely the outline of it when I get about a house and a half or two houses on I lead the cry of "ECED"—short, like that, the word rand finished. Now, Mr Rose was one hundred and fifty feet

behand Dr. Burdell when he went in at the door of his house, and although Mr. Ross identifies the house, it does not follow necessar ly that he may not have fuled to perceive Farre I sitting on the doorstep (where Farrell says he was sitting) when Ross passed the door. The object on made to Fattel's testimony is that he swears positively that the man supposed to be Dr. Burdel, who went into the house while he sat on the step or stoop, came from the Bowery, while it is asserted that Ross's testimony proves that he came from Broadway. If Ross's testimony is correctly quoted above, it proves nothing of the hind. He merely says that the person was one hundred and fifty feet in front of bim toward the Bowery, and does not say whether he was coming from the Bowery or going toward it at the time he entered the house.

The testimony of Strangman, another of these three witnesses, said to contradict Farrell, is this: "I was in this neighborhood about a quarter to 11 o'clock on Friday evening, on the oppositisside of the street, and heard a sharp, still dury; it appeared to come from this direction; the cry was loud, and like that of a person in ngony; it was a sort of a shrill cry. I looked up and down Bond street at the time, and one person in the street."

It is neither impossible nor improbable that Mr. Strangman, who was "in the neighborhood, on the opposite side of the street," may have been in such a posicion, or at such a distance as not to have seen Fairell sitting on the stoop.

Mr. Brooks, the third of these three witnesses, who lives at No. 36 Bond street, nearly opposite the house of the murdered man, testified as follows: the house of the murdered man, testified as follows:

'The round appeared to come from this direction; the first syllable.' Mur' was distinct, but the "der" was prolonged and gutturs!; I was going to bed: my white was closed, and I lustantly sprang on a chest near the window, lo ked over the top of the inside shutters and through the Venctian blands which we eshut: I could distinctly see this house. I looked in this direction, and tre night house was very still I thought I heard a noise as of shuffling on a floor, but wont be positive: it was in this house. I looked up the street in order to see if garreters were around; I saw nothing further."

Here we have Mr. Brooks looking through Venetion blinds "which were shut," and looking, too, from an upper story. Now, every one knows that it is difficult to see clearly such a distance through window panes and such blinds at night to such a distance as was Farrell from Brooks; and besides, Brooks says that he could "distinctly see the heuse;" but makes no particular mention of having looked at the street door or the steop; and moreover rays, as to the noise he heard "I won't be "positive it was in this (Burdell's) house-I looked p the street to see if garroters were around."

If, as we believe it is in evidence, the front window of Dr. Burde I's house was open, the single ery of "Murder!" might have been heard by all these wittesses, when at such a distance from the house as not to be able to identify it (the house) at the very moment, or to recognize Parrell, who at the time was sitting on the stoop. Such a cry, under the circumstances, might readily be heard late at right in a quiet street like Bond street, for a istance of several bundred feet.

This remarkable corroborative fact of Farrell's vidence is not to be overlooked: It is that he describes the manner in which Eckel opened the door. He (Ecker) turned the latch in his right hand, and grasped the edge of the door with his left, leaning his head out to warn off Farrell, in a voice and manner which so alarmed the latter. Just where that left hand would have been placed on the edge of the door was the mark of blood dis-

Another significant fact is, that when Eckel was brought from the Tombs for identification by Farell, and requested by Capt. Dalks to appear in his shirt sleeves, along with twenty-five or thirty other persons, similarly without their coats, he refused to do so; and when Farrell commenced his scruting of he assembled crowd, Ecket's hardshood of demeanor for the first time failed him, according to the concurrent testimony of all the reporters, some of them say that his knees evidently tremble 1.

Farrell's testimony should not be lightly treated, specially by those not used to sifting evidence or o reconciling apparent, though not real contrad c tions of witnesses Unless Fastell is proved to be a man unwerthy of belef, his evidence seems of awful and copelusive import, so far as "moral convictions" are necessary to point toward a or m nat.

Those of our cotemporaries was are particularly a xious to involve the United States in a war with Chira, either as principal or as second fiddle to the English, in behalf of the right of "outside barbarians" to free ingress to, residence in-for the purposes at least of trade and business -and departure tom, the flowery Emp re, with read, we hope, with particular care, the case of Authory Adams, of which a detailed and very interesting as well as instructive parrative will be found in another part of o day's TRIBUNE. On the p he ple that charity wgins or ought to begin at home, they will find without any recessity of going so far as China to cek it, abundant of partunity for the full exercise the r real on this subject of free ingress, egress ed residence, and that too in the case of States open which we have some special claims that can burely be set up as against the Chinese.

or mmon towle at 10 1 2 to 12 1 2 cents a p and; so | Authory Adams is a joung colored man about 19 aren, stating that he had written to Port Jerris on | jeptien at Albery, where a bill has been introduced |

eers of age, bern and bred in Port Jervie, town o Deerpark and County of Orange, in this State of New-York. In November, a year ago, in his capa by as a mariner, he shipped in the city on board a -chooser bound to Pismouth in North Carolina, a trading town at the head of Albemarie Sound. There he was taken sick and sent to the hospital. where he remained until the seconder had left | Recovering, he shipped on board a fishing boat, then worked for a time in Plymouth, but was again taken sick. In June last, being then able to be about though not fit to work while in coprersation with the bands on board a steamboat which runs between Plymouth and Edenton on the opposite side of Albemar e Sound, he found that unexpectedly to him the boat had left the wharf. Attempting to get out and on shore, he was seized by the master of the steamboat, who accused him of being a runsway slave, tied him and carned him to Eceptor, N. C., and immediately on arriving there cent him to ja l.

It seems that in North Carolina they have a law subjecting all outside barbarians, who are not of a sufficiently white complexion to suit the taste or secure the confidence of the North-Caroline e, to & fine of \$500 for presuming to come into that Christ an and civilized State "to reside;" with the afternot ve, which somewhat outruns any Chinese procodure that we have heard of, that should the fine not be paid the culprit, after a certain detention, shall be sold into slavery for a time sufficient to race the amount. Under this law, as it would scom. Adams was tried and sentenced: but as he claimed to be a freeman, and was believed to be so by some citizens of Edenton who incestigated his case, and as, so far from having come voluntarily into the county in which Edenton is situated "to reside," be had been brought in against his will, and bound hand and foot, these gentlemenwhom Col. Paire, a Representative in Congress from North Carolina was one-caused this judgment to be set aside, or at least prevented any sale from taking place under it. But this did not secure the recase of Adams, who, as he had no free papers, was still kept in prison as a runaway slave, with the prespect of still being sold to pay his jail

The first intimation which the friends of Adams bad of his imprisonment in North Carolina was not from any official or citizen of that State, but from a centleman of this city, who, about the time of Adams's imprisonment, being on a visit to Edection. become aware of the fact. He saw the man, heard his story, and returning to New-York, in compliance with a promise to Adams, addressed a letter to Mr. Bennet of Deerpark, whom Adams had ment oped as able to prove him a free man. This letter, which was dated July 21, 1856, informed Mr. Bennet that if Adams's account of hunself was true his release might be procured "without any difficusty" by sending to Edenton previous to the next County Court, which met in August, affidavits to prove his freedom; and the letter gave the name of a lawver who would ast in the case "without charge," and to whom the papers might be sent. Affidavits were accordingly prepared, duly authenticated, and sent as directed, with a request that if any further proof were needed information should be sent to Mr. Bennet, and also a statement of the jail fees and other expenses.

Nothing further, however, was heard of the matter till about the 1st of December, when a letter was received by Mr. Bennet, dated Nov. 17, from the Clark of Chewas Scene, Court, the county in which Edenton is situated, mentioning Adams's account of homself, and stating that he was held in the jail of that county as a runaway slave, and was liable to be so'd for the charges of his impresonment, amounting then to about \$75. It appeared from this letter that the depositions formerly sent had been received, "but being taken ex parte, were not istroduced." Nothing, it would seem, in the shape of written testimony, would be likely to satisfy the exigent demands of the North Carolina law. only certain method was for some person who could prove Adams to be a freeman to be at the trouble and expense of going on to Edenton for that

purpose. Now, there is a law of this State, enacted in 1840, and seemingly with a view to precisely such cases as this, which provides, among other things, that "whenever the Governor of this State shall receive information satisfactory to him that any free citizen or any inhabitant of this State" " is wrongfully seized, imprisoned or held in slavery in any of the States or Territories of the United · States, on the allegation or pretense that such person is a slave, it shall be the duty of said Governor to take such measures as he shall deem ne cessary to procure such person to be restored to his liberty and returned to this State"-and the act rees on to authorize the Governor to appoint an agent for this purpose, andto pay all necessary expenses The case of Adams was thought, by those interested in it, to come fully within the letter as well as spirit of the above act, and application was accordingly made to Governor Clark to appoint an agent under it. But it seems he was "advised"we should like to know by who m-that the case of Adams did not come within the law, and on that ground declined to take the action requested. Previous, however, to the receipt from the Governor of this refusal on his part to perform a clear and plain duty imposed upon him by the statute, other correspondence had taken place by which the Peerpark centlemen had been stimulated to act at once on their private responsibility without waiting for the Governor's motions.

A taunting and insolent letter signed Fred. L. Roberts, and dated Edenton, Dec. 14, 1856, had een addressed to Sepator Seward at Washington. tating the fact of Adams's detention in | sil and the suger he was in of being sold and representing it as "burning shame" that the citizens of Port Jervis. for notification of this fact, should allow a citizen o remain in jail "simply because they are too enurious to come on and recognize hun," and " damnable shame that the great State of New-York. after shricking for negro freedom, voting for Frement and free pegroes, should abandon one of her citizens." To this latter clause, viewing it in the ight of an address to Governor Clark, and of an mathema upon his strange and unaccountable conduct in the case, we have not a word to object; out if it be such a "shame" as Mr. Fred. L. Roberts sould represent it for citizens of a free State to esitate about submitting to the unreasonable deand, and exterte pate exactions of statutes like that of North Carolina, in what terms ought we to seak of the barbarian spirit which enacts and enrees such laws; which caps into jail a free citiet of New York, guilty of no offecse except his e implexion, and threatens to sell him into slavery mices somebody will make a Winter's journey of undreds of miles at a heavy expense, and pay t arge sum in costs and just fees to precure his release

o this letter, three days after its date, Senator

Sward replied, that king the writer for the inform-

he subject, and, to prevent any emberrassment or delays on the subject of cests and fees, surborning the writer to draw on him at sight for the amount, whatever it might be. It was in consequence of Senator Seward's letter to Port Jervis that, without waiting for Gor. Clark's decision, Mr. Bennet was induced to under take a journey to North Carolina for the purpose of identifying Adams as a free citizen of New-York, upon which mission he started on the 29th of December last. Stopping at Washington on his way, he saw Col. Paine, and obtained from him the true history of the case, with letters of introduction to persens in Edenton. Upon payment of costs and fees, Adams was released without objection; but now arose a new and unexpected difficulty in getting him home. It is not merely, it seems, in the matter of the

prohibition to outside barbarians of certain obnox-

ious races and colors to come to reside within their

limits, that the laws of North Carolina present a

striking resemblance to those of China. That State and other adjacent States seem to have also a lively Chinese herror of the emigration or withdenseal of cortain classes of the inhabitante and as the color of Adams had been made a ground for imprisoning him because he had come into North Carolina, so his color also put the most serious obstacles in the way or his getting back again to New-York. He could not stay in any Stave State without the danger of being charged thirty cents a day for jail fees, and the further danger of being sold into slavery to pay them; and though provided with "free papers," duly authenticated according to the laws of North Carolina-to afford ground for the issue of which another citizen of New-York had trave ed all the way to North Carolina at a heavy expense-when he and Mr. Bennet got to the wn of Portsmouth in Viginia, on their way home, it was found that Adams could not leave that place in the steamboat for Baltimore without the oath of some resident of Portsmouth that he believed Adams to be a free man. By a for tunate circumstance a person was found whose oath answered the purpose. Mr. Bennet and Adams preceeded together to Baltimore; but there it appeared that Adams could not leave in the cars for the North without giving satisfactory bonds to the amount of \$1,000 that he was a free to in. As Mr Bennet had no acquaintances in Baltimore, te was obliged to proceed to Washington to get assistance, and not venturing to leave Adams behindnot knowing what accident might befall him, or under what law or upon what private speculation he might be enapped up in the interval-be took him along. To this no objection was opposed by the railroad employees. A free colored man from the North traveling South is allowed to run his head into the ben's mouth of Slavery without warning or obstacle. It is only when he is attempting to get back to his free home that he encounters so many difficulties, not being allowed to go without giving bonds, while he cannot stay without imminent risk of being sold into slavery because he does not go: At Washington Mr. Bennet obtained letters to gentiemen in Baltimore such as would enable him to give the bond required; but when he came to leave Washington to return to Baltimore, he found that Adams could not go in the cars along with him without first getting somebody in Washington to 'say it was all right"-a new obstacle which lost them a train. Finally, after two weeks' work on the part of Mr. Bernet, and at an expense of some \$200, Adams enjoys once more the pleasure and the privilege of reaching a civilized country, free

ingress of egrees. We hope nobody will omit to read the full narrative of this affair, nor to mark and inwardly digest the striking contrast with which it concludes be tween the facilities afforded by the laws of this land in the recovery of fugitive slaves and the obstacles and expenses which have to be encountered in restoring a free man to his aborty and his home. Nothing can be more reasonable than the demand of our correspondent that Congress should instantly pass a law by which freemed claiming their liberty should receive from the Government the same assistance and facilities so liberally extended to slaveholders claiming their slaves.

from any Chinese restrictions about residence,

There has been a great tendency on the part of State Legislatures for several years past to do away with the formalities and to dimenish the publicity necessary to marriages-a change for which the condition for our New-York laws on this subject has been in so small decree answerable. It would seem, indeed, that from a very early period both our laws touching the celebration of marriage and the practice under them have been sufficiently loose. By a very curious letter addressed, so long ago a 1695, to the Bishop of London-who in those times deemed all the English colonies as ecclesiastical appendages to his diocese-and written by the Chaplain of his Majesty's forces in New-York, this Chaptein being then the only Episcopal clergyman in the colony-it would appear that many people in this city, even those of respectable position, eemed bardly to know whether either they or their neighbors were really married or not; and the question with which the public mind is at this moment so much agitated as to the relations between Dr. Burdell and Mrs. Cunningham would go to show that, to a certain extent at least, this state of thirgs has been propagated even to our times. Looking at the matter merely as a question of

property, and in regard only to the prevention of rands and hitigation, our laws about marriages, the formality required in entering upon them, and the record made of them, are strangely at variance with ther parts of our code. A man cannot convey way the smallest piece of land of the most trifling value, except by a deed duly signed, sealed, witnessed, acknowledged, delivered and recorded-at least such record is essential as against the claims of third parties, whether creditors or purchasers. A man cannot by will-except in a few exceptional cases of nuncepative wills-direct the descent of the smallest portion of his property after death except by an instrument in writing signed by himself or by his express direction, and in the presence of a cer tain number of witnesses, to whom he declares the rature of the document; and before this will can have any legal effect, it must be proved and put on

Can any raild or even plausible reason be given why less formulity and less provision against fraud hould be required in the matter of marriage? In case of marriage the man, and stul more the woman. testows not merely himself or herself, the parties a utually create each for the other an interest in their respective estates-if they happen to have any -and the suspicions which exist as to the validity if the alward marriage between Mrs. Cunningham and Dr. Burdell afford abundant proof of the totally ose and unsatisfactory nature of the existing pro-

This matter, we are glad to see, has attracted at-

isions of law upon the subject.

in reference to the registry of marriages. While the st blect is up we hope the whole provisions of the law in regard to the celebration of marriages will be re-considered. Marriage is, in a local point of view, a serious affair, into which parties should not be allowed to enter without opporturity for reflection, and security against doing, in a monent of thoughtlessness or impulse, an act to which the law attaches such permanent and important obligations, and from which flow, or may flow, such serious consequences to others, as well as to the more immediate parties.

THE LATEST NEWS, RECEIVED BY MAGNETIC TELEGRAPH.

FROM WASHINGTON.

Special Dispatch to The N. Y. Tribune WASHINGTON, Feb. 11, 1856,

Mr. Bright went suddenly to Wheatland last night, to correct misrepresentations made to Mr. Buchanan here, during his (Mr. Bright's) absence in Indians, and to retire from cabinet competition of Mr. Wright's exclusion could be thus assured. The reason of this movement was the recent mission Mr. Day's to Wheatland with the recommendation of Mr. Wright by the Democrats in the Legislature. The complications caused by disagreements in the Northweast almost induce the belief that Mr. Buchanan may reconsider his determination in regard to Gen. Cass. The conflicting interests would acpt h m as an a'ternative but not as a choice.

The Ocean Telegraph men are encouraged with the belief that they can reconsider the bill and pre-

Mr. Matteson has been furnished with a copy of all the test meny implicating him before the Invest gation Committee, and is now engaged in preparing an explanatory statement. The detection of e crical errors in the first copy caused some feeling toward the Committee, which has since been corrected.

If the objections to the Clayton-Bulwer treaty were specifically stated and narrowed down, they could be removed by amendments which the Secretary of State would furnish. No serious difficulty need occur in regard to the condition excluding Slavery in the Hondaras trenty, because ours could be conformed so as to gain the material point of excluding that reference which is supposed to have been overlocked by Mr. Dallas. Doub's are, however, entertained if suitable modifications can be made in time, and an effort will be to hang up the treaty for future consideration, if better cannot be

To the Associated Post.

The Secretary of State has recommended to Congress the appropriation of \$8,000 for the suppression of the slave trade, on the principle asserted in the act of 1813, and has favorably indersed the application of the American Colonization S. clety for \$30,000 for a similar

The galleries of both Houses of Congress were densely crewded to day—the proceedings throughout producing interest interest.

XXXIVTH CONGRESS. SECOND SESSION.

SENATE WASHINGTON, Feb. 11, 1857. House. Mr. BIGLER, the teller on the part of the Seato, made a report as to the counting of the Electoral votes, adding the fact that the Electors of Wisconsin did not as emble and cast the vote of that State till the day after the time prescribed by law.

Mr. HUNTER said there would be no difference in the result, whether the vote of Wisconsin be counted or counted; but still be thought the best way to settle

or emitted; but sit i he thought the best way to settle
the question would be to adopt a recolution that the
Julia Committee which had been appointed on the part
of the Senate be instructed to confer with the House
Committee, and agree upon such a report as should be
satisfactory to both Houses. He alluded to cases where
similar difficulties had occurred, in Michigan and Missouri, and observed that these difficulties had been settted in that way. He concluded by making such a
mobile.

The PRESIDENT announced that in his declaration of the result he had not assumed to decide the question hether the vote of Wiscorsia should be counted or not, but had simply declared Messrs. Buchanan and Mr. NOURSE said that it was important to decide

Mr. NOT RSF, said that it was important to decide this question, because a case might occur when a sim-ilar difficulty might affect the general result. This question must be decided by somebody. If the two Houses as parate and do not agree in their decision, who shall decide the question? It should be decided by

the idint consection of the two Houses.

Mr. BUTLER telt a little concerned about this mayber. He disputed the right out and out to ascertain who was President except by the simplest rule of addiwho was received except by the simplest that of addi-tion but if the Convention could eav which votes should be counted and which should not be counted, an eccasion might arise when such a Convention, in the exercise of its arbitrary power, could make a Presi-dent of the United States without an election.

Mr. STUART said that the subject had been ended. Mr. SII AKT said that the empect has been easily as the control of the proceeding on now with a sort of suppositious case and making a precedent which might be relied on here after. The difficulty in the present case was not of importance, as the result would not be affected by the decision, but it showed the importance of some additional control of the control of after. The difficulty in the present case was not of importance, as the result would not be affected by the decision, but it showed the importance of some additional legislation by Congress declaring the electoral votes which were not cast on the day prescribed by law should not be counted in future. He could see no necessity for any further action on the subject this time.

Mr. TOOMBS said that when the Senate was called n to meet the House for the purpose of having the ectoral votes counted, it became an important ques-ep which were votes and which were Lot. Who was decide that question? Suppose a certificate was re-yed that ten votes had been east in Nicaragua, and ceived that ten votes had been cast in Nicaragua, and the preciding officer and teliers had said that these should go in and be counted, was there no remedy for that? He protested squainst the action of the presiding officer, because he had counted the vote of Wisconsin in announcing the result, and assumed to exercise the right of saying that James Buchanan had 174, and John C. Frement 111 votes. It belongs to the Senate and the House to decide which votes should be counted.

or med Mr. BUTLER thought it was a dangerous power to trust any one to decide what votes should or should of he counted.

Mr. DOUGLAS said that everything had been done

which ought to be done to render the action on the sub-ject complete. The vote of Wisconsin ought not to be entered on the list for the reason, that it was not east in the Electoral College on the day designated by law. The only duty of Congress was to guard against the cases; in fiture. arger in future.

Mr. SEWARD congratulated the country that there

was no necessity for deciding whether or not the vote of Wisconsin shall be counted. He hoped Wisconsin will be counted. He hoped, however, that some measure will be adopted to provide against future conmy excess.

Mr. COI LAMER could not see any necessity for the

proposed Committee of Conference. It was generally a mittee that Mr. Buchshan was elected in a Consti-tutional manner, and that was the only question to be etermined.

Mr. HALE was decidedly of the opinion that the steep of Wisconsin should be counted. He had always ate of Wiscensin should be counted. He had always referred all-stance to form. The people of that State aght not to be disfranchised because of the inability of the Electors to reach the seat of government at a

ven day Mr. HUNTER, at the request of the Senators, withrew his motion.

Mr. BUTLER offered a resolution, reciting the facts

in the case and concluding with the declaration that Messrs. Buchman and Breckenridge were elected, but afterward the Senate accepted a substitute, sub-mitted by Mr Collamer, similar is purport, but omit-ting a reference to the vote of Wisconsin.

On metien of Mr. Weller the resolution was tabled. Mr. WELLER offered a resolution that a committee

Mr. WELLER offered a resolution that a committee, o combit of the member of the Senate and two members of the Honze, be appointed to inform Messrs. But the resolution of the Honze, be appointed to inform Messrs. But there is entirely the substance that the vote of Wincomin ought not to be neliced in the list of electoral votes, and that any member of either house has the privilege to object to be counting of said vote; and that it was competent for the Senate and House als as to decide that question Mr. WELLER appeared to Mr. Criticalen and to

inelet on the amendment, as the two subjects bad Mr. CRITTENDEN thought that that was the sair way to get his propostice considered at all.
Pending the question, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Mr. BARBOUR moved the reconsideration of the vole by which the Senste Submarine T-lagraph bill was referred to the Committee on Post Offices.

The motion was entered, probably to be considered to morrow.

Mr. WASHBURN (Me), under the instruction of the Mr. WASHBURN (Me), under the instruction of the Committee on Elections, made a report, concluding with a resolution that John W. Whitfield is not entitled to a seat in the House as the Delegate from Kansas; and moved that the further consideration of the subject be postpored till Saturday next.

Mr. OLLVER Miss. moved to lay the resolution on the table and made a minority report, and asked to have read the memorial of Mr. Whitfield in response to the report of the unjointy of the Committee.

read the memorial of Mr. Whitfield in response to the report of the inspority of the Committee.

Further proceedings were interrupted by the arrival of the time fixed [12] clock, for o, ening and counting the votes of the electors of the several States for President and Vice President. The Senators accompanied by their efficers entered, the Members of the House receiving them standing. The President of the Senate took a seat on the right of the Speaker.

Mr. Bigker, on the part of the Senate, and Mr. Jones (Tenn.) and Howard, on the part of the House, acted as tellers and occupied the Clork's deak.

The President announced the object of the joint meeting, it being pursuant to law as all nobedience to the concurrent order of the two Houses.

The President first opened the vote of Maine, which was read by the Tellers, and continued taking the various States in totalion.

The certificate from Wisconsin having been read, Mr. LETCHER said that he understood the electoral vote of that State was east on the 4th instead of the 3d of December, as prescribed by law. He did not know what was now the proper course, but desired that the tact might be brought to the attention of the conarry. The time might come when such a state of things would convulse the Union.

The President of the Senate said Mr. Leicher was

try. The time might come when such a state of things would consule the Univ.

The President of the Senate said Mr. Letcher was not in order while the Tellers were counting the votes.

All the votes having been counted the Tellers reported the result, with the fast that all the returns were fund regular, and the electoral votes cast on the proper day, excepting those of Wisc usin. Those were cast on the 9th, instead of the 3d of December.

The President then announced the state of the vote in detail and in further exception of the concurrent order of the two Houses, announced that James Bachanan and John C. Breckearings were daily sleeted President and Vice-President for the term prescribed by the Constitution, commencing on the life of March next. Mr. HUMPHREY MARSHALL said in this care

Mr. HUMPIREY MARSHALL, said in this case the President, through the tellers announced the vote of Wisconsin, but whether this should be done or not, must depend on the determination of this Convention, and not on the decision of the presiding officer, whose functions, according to the verbiage of the Constitution, go no further than opening the continentes. The case which has now arisen, made no difference as to the result, but the time might come when such a state of things would be fraught with the most important con-

The PRESIDENT said the votes having been counted, and the result amounced, the functions of the two Husses were discharged.

Iwo Houses were discharged.

Mr. TOOMIS entered his dissent from the decision of the Chair, which would close the mouths of Sanators and Representatives with whem the decision rested.

The PRESIDENT quoted the language of the Constitution relative to the counting of votes and in justification of his decision. Mr. BUTLER would regard the reception of the

yete of Weccusin as setting a dangerous preceded. If a State should not, through its electors, vote at the same time as the other States, but receive its power, with the telegraph running from one end of the Union to the other, it might become the umpire in electing the President and Vice-President. He thought it clear this vote ought not to be received.

Mr BIGLER, under the instruction of his associate ellers, stated that they had not yet signed this con-ificate—they had merely reported the facts.

Mr. CRITTENDEN said that the President's dedesign to volved the privilege of determining the elec-tion of President of the United States, and therefore

The PRESIDENT replied that he was not aware that he had assumed or exercised any such power. It was his duty to announce the vote, which he had discharged and none other.

Mr. ORR moved that the vote of Wisconsin be ex-

cluded.

Mr. CASS said that they could take no vote here, nor could they discuss questions. The only point was to adjourn to their respective Houses. They were overturing the Government in making this a National

turning the Government in making this a National Convention.

Mr. BUTLER concurred in that opinion.

The PRESIDENT said that the duty for which the two Henses had assembled being concluded, the Senate should return to their Chamber.

Mr. TOOMBS entered his protest,

Mr. DOUGLAS expressed an opinion that the tellors had no right to add the certificate to the vote of Wiscossin till the two Houses should so decide. He preceded against a desolution of the Joint Convention till a deciden was made. He was willing that the Senate should ratire to consider the question in dispute.

Mr. STANTON asked what question was to be determined. The PRESIDENT said that no vote could be taken by the two Houses thus assembled, and ruled Mr. Orr's

by the two Houses thus assembled, and ruled Mr. Orr's motion out of order.

Mr. HAVEN submitted that they had not counted

the votes. It was his opinion that the vote of Wisconsin enght not to be consted but it was right that those who thought differently should be heard. The question should be at once setermined Mr. BUNIER jamid cries of "Order" President conduct the Senate back to their

Mr. BILLINGHURST called for the reading of the original certificate showing the cause which prevented the Electors from teaching the capital of Wisconsin is

time.
Voices—We all know what they are.
Mr. COBB (Geo) thought it important to know whether this Convention could adjourn by the decision of the Chair, or by their own act. He wanted them to decide whether they had completed the business for

which they assembled.

Mr. BUILER—I call that gentleman to order. It is not a debatable question. My State shall not be over-ridden white I am here.

Mr. CORB—All questions are debatable unless prevented by special rule.

Much confusion prevailed throughout these proceedings, bak a dozen gentlemen striving at the same time for the floor.

or the floor.

The PRESIDENT said that he would receive the

motion that the Senate should return to their own chamber, and that the Senate was in session now. chember, and that the Schate was in season with the Mr. COBB—The question arises whether the vote of Wisconsin shall be counted. Let the Senate retire for deliberation, and the desired result can be effected by an interobage of messages.

Mr TRUMBULL thought that the only way was for each House separately to consider what was battle before.

The PRESIDENT said that the difficulty was that the count could not be officially known until the Ts. is report.
While half a dozen gentlemen were speaking at once

The Speaker resumed the Chair, but refused to recurize the gentlemen who loudly sought the floor and

conize the gentlemen who loudly sought the floor and
the Senators had retired.

Mr. CAMPBELL of Oblo called for the regular
order of business, and Mr. Seward of Georgia wasted
to know what had become of the Senate.

A Voice—Send the Sengeant at arms after them.
The Syesker remit dog the House that the vote of
the Resountion declaring Mr. Whitfield not aftitled to
sear, has not been completed.

The Clerk commerce d reading the affirmative vote,
but many objections were made to the continuance of
that duty on the ground that the object of the Joint
Convention was not yet accomplished.

The SPEANER overmed the question, and further

The SPEAKER overruled the question, and further decided that the House was not now in Joint Convis-

Mr. ORR insisted that the Joint Convention had not

adjourned.

After a running fire on points of order and further debate in volving the question whether or not the Convention had completed their labors, and whether the Convention was broken up by the withdrawal of the Mr. BOYCE moved that the Senate be invited to

Mr. FLORENCE moved that a committee be ap-ointed to inform Mesers. Buchanan and Breckenridge CAMPBELL Ohio) offered a resolution setting

Mr. CAMPBELL. Ohio) offered a resolution seems forth that Congress was satisfied of the election of Meastr. Eucharan and Breckenridge, but that for the reason stated it is the opinion of the House that when he Sanate again return to the House, the vote of Wiccarin ought not be counted, and that the Schale be Letified of the adoption of this resolution.

Mr. LETCHER suggested that a Committee be seen. Mr. CAMPBELL replied that the Senate went away

of their own accord, and hence he would not scoop the amendment. When they returned he trusted the

Further debate was continued, and without taking the question the House adjourned.